

**\*\*Title:\*\*** Paredes v. Borja and Catalan, 113 Phil. 482 (1959)

**\*\*Facts:\*\***

1. On June 2, 1958, the chief of police filed a complaint against Cresencio Catalan for malicious mischief, claiming he destroyed corn plants belonging to Josefa Lapora, tenant of Exaltacion Jagonia de Amparado.
2. On June 3, 1958, the complaint was sworn to, and Catalan was arraigned on June 6, 1958. Assisted by counsel de oficio, he pleaded guilty.
3. The Justice of the Peace Court of Bonifacio sentenced Catalan to 10 days imprisonment and ordered him to pay a P10 indemnity.
4. Catalan sought reconsideration, stating the punishment was too severe and argued for a fine instead of imprisonment, and later amended his motion claiming an ownership dispute involving the land.
5. On June 12, 1958, the Justice of the Peace Court vacated its judgment dated June 6, 1958, accepted a not guilty plea, and set a trial date.
6. On June 25, 1958, the Assistant Provincial Fiscal, Ceferino Paredes, filed a motion for reconsideration, claiming the reconsideration motions lacked verification and affidavits of merit.
7. The Justice of the Peace Court denied subsequent motions by the fiscal, leading to a certiorari petition filed by the fiscal with the Court of First Instance, seeking to prevent further proceedings in Crim. Case No. 488 and uphold the initial conviction.
8. Respondents filed an answer defending the Judge's discretion in allowing the plea change. The fiscal contended that the plea was not improvident as Catalan had legal counsel.
9. The Court of First Instance ruled in favor of the fiscal, prohibiting further proceedings.
10. Respondents appealed the decision to the Supreme Court.

**\*\*Issues:\*\***

1. Did the Justice of the Peace Court abuse its discretion by allowing the withdrawal of the

guilty plea and setting aside the conviction?

2. Should the motions for reconsideration, without verification or supporting affidavits, affect the validity of the proceedings?
3. Is the rule regarding withdrawal of a guilty plea as governed by previous jurisprudence, pertinent under the present procedural rules?

**\*\*Court's Decision:\*\***

1. **\*\*Abuse of Discretion:\*\*** The Supreme Court found no grave abuse of discretion by the Justice of the Peace Court in allowing Catalan to withdraw his guilty plea. The Court recognized the judge's discretionary power to set aside conviction before it becomes final if there is a doubt concerning the guilt.
2. **\*\*Verification and Affidavits of Merit:\*\*** The Court noted that the contemporary Rules of Court did not necessitate verification or affidavits for motions not related to newly discovered evidence. Moreover, the procedural shortcomings were remedied by Catalan's testimonial evidence and the decision of a related civil case indicating his claim to the land.
3. **\*\*Contemporary Rules Governing Plea Withdrawal:\*\*** The Court highlighted that the current procedural rules diverge from previous cases cited by the fiscal, rendering those precedents inapplicable. The rules permitted a judge's discretion before a judgment's finality, not necessitating verification for reconsideration motions.

**\*\*Doctrine:\*\***

The Court established the doctrine that before a judgment of conviction becomes final, a lower court judge's discretion to allow a plea withdrawal should not be disturbed absent grave abuse of discretion. Moreover, current procedural rules do not insist on a motion for plea change to be verified unless based on newly discovered evidence.

**\*\*Class Notes:\*\***

- **\*\*Elements of Malicious Mischief (Revised Penal Code Art. 327):\*\*** Damage to property with malice.
- **\*\*Legal Principles:\*\*** Discretion of trial courts in accepting plea withdrawal; procedural insufficiency rectified through testimonial evidence.
- **\*\*Rule Cited:\*\*** Sec. 6, Rule 114, Rules of Court regarding the withdrawal of guilty pleas before final judgment.

**\*\*Historical Background:\*\***

The tension in this case reflects changes in procedural safeguards and the increasing emphasis on the defendants' rights during arraignment and conviction processes in post-war Philippine jurisprudence. The period saw enhancements in legal due process, transitioning from strict evidentiary requirements to more discretion-based rulings in criminal procedures. This particular case elucidates a shift in how the courts handle plea withdrawals and aligns with broadening judicial discretion to prevent miscarriages of justice.